

# HOUSE BILL No. 1304

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-8-16.

**Synopsis:** 911 fees. Applies to a county that: (1) collects monthly enhanced emergency telephone system fees; and (2) contains at least one municipality operating a 911 public safety answering point (PSAP). Requires telephone service suppliers to provide quarterly reports to the county treasurer and the municipal fiscal officer detailing fee collections from customers located within the municipality. Requires the county treasurer to remit quarterly 75% of the enhanced emergency telephone system fees collected from customers located within the municipality operating a PSAP to the fiscal officer of the municipality.

**Effective:** Upon passage; July 1, 2004.

---

---

**Stevenson, Austin, Lutz J**

---

---

January 15, 2004, read first time and referred to Committee on Commerce and Economic Development.

---

---

C  
o  
p  
y



Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1304

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 36-8-16-3.5 IS ADDED TO THE INDIANA CODE  
2       AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3       1, 2004]: **Sec. 3.5. As used in this chapter, "PSAP" refers to a**  
4       **public safety answering point that is:**

5               **(1) operated by a municipal public safety agency; and**  
6               **(2) eligible for distributions under IC 36-8-16.5-40;**  
7       **and that receives incoming 911 calls and dispatches appropriate**  
8       **public safety agencies in response to the calls.**

9       SECTION 2. IC 36-8-16-12.5 IS ADDED TO THE INDIANA  
10       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11       [EFFECTIVE JULY 1, 2004]: **Sec. 12.5. (a) This section applies to a**  
12       **county that collects a countywide fee under section 5(a) of this**  
13       **chapter and that contains a municipality operating a PSAP.**

14               **(b) Each service supplier that collects the fee from service users**  
15       **located within the municipality operating the PSAP shall do the**  
16       **following not later than ten (10) days after the last day of a**  
17       **calendar quarter:**



C  
o  
p  
y

**(1) Prepare a fee collection report listing the:**

**(A) name of;**

**(B) address of; and**

**(C) amount of fees collected during the quarter from; each service user located within the municipality and the total of all fees listed in the report.**

**(2) Deliver the report described in subdivision (1) to the:**

**(A) treasurer of the county; and**

**(B) fiscal officer of the municipality.**

**(c) The county treasurer shall do the following not later than thirty (30) days after the last day of a calendar quarter:**

**(1) Calculate the total enhanced emergency telephone system fees collected from service users located within each municipality recorded on the fee collection reports delivered under subsection (b).**

**(2) Remit seventy-five percent (75%) of the total enhanced emergency telephone system fees calculated in subdivision (1) to the fiscal officer of each municipality.**

SECTION 3. IC 36-8-16-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 13. A county treasurer or municipal fiscal officer to whom enhanced emergency telephone system fees are remitted under section 12 **or 12.5** of this chapter shall deposit the fees in a separate fund. The fund shall be known as the \_\_\_\_\_ (insert name of county or municipality) emergency telephone system fund. The county treasurer or municipal fiscal officer may invest money in the fund in the same manner that other money of the county or municipality may be invested. The county treasurer or municipal fiscal officer shall deposit any income earned from such an investment in the fund.

SECTION 4. IC 36-8-16-14, AS AMENDED BY P.L.156-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 14. The emergency telephone system fees shall be used only to pay for:

**(1) the lease, purchase, or maintenance of enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisioning;**

**(2) the rates associated with the service suppliers' enhanced emergency telephone system network services;**

**(3) the personnel expenses of the emergency telephone system; and**

**(4) the lease, purchase, construction, or maintenance of voice and data communications equipment, communications infrastructure,**

**C  
o  
p  
y**



1 or other information technology necessary to provide emergency  
 2 response services under authority of the unit imposing **or**  
 3 **receiving** the fee.

4 The legislative body of the unit may appropriate money in the fund  
 5 only for such an expenditure.

6 SECTION 5. [EFFECTIVE UPON PASSAGE] (a) **A service**  
 7 **supplier to which IC 36-8-16-12.5, as added by this act, applies**  
 8 **shall implement procedures that are necessary to comply with**  
 9 **IC 36-8-16-12.5(b), as added by this act, not later than June 30,**  
 10 **2004.**

11 (b) **The county treasurer of a county described in**  
 12 **IC 36-8-16-12.5(a), as added by this act, shall implement**  
 13 **procedures that are necessary to comply with IC 36-8-16-12.5(c),**  
 14 **as added by this act, not later than June 30, 2004.**

15 (c) **This SECTION expires January 1, 2005.**

16 SECTION 6. **An emergency is declared for this act.**

**C**  
**O**  
**P**  
**Y**

